

Currey and Ryan Chambers. Joseph complains that while he was on parole for a conviction of theft, Defendants revoked his parole for failing to register as a sex offender, failing to participate in a sex offender treatment program, and removing a sex offender ankle bracelet. The sex offender requirements were placed on Joseph based on a previous conviction in 1980. Joseph argues that his 1980 offense occurred before the state of Texas enacted the parole requirements for sex offenders. He claims he has been deprived of his right to equal protection, deprived of his right to be free from cruel and unusual punishment, that the parole requirements constitute double jeopardy, and that he has suffered emotional distress.

The Magistrate Judge determined that Joseph failed to state a claim under 42 U.S.C. § 1983. She states that Joseph fails to state a claim based on the procedural posture of this case and that his allegations fail substantively to establish a claim for relief.

The Court has reviewed the Memorandum and Recommendation and finds it to be neither clearly erroneous nor contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir.), *cert. denied*, 492 U.S. 918 (1989). Accordingly, the Court ACCEPTS the Magistrate Judge's recommendation to DISMISS this case. Defendant Owens's motion for a Rule 7(a) (Docket Entry No. 27) reply is DISMISSED AS MOOT. The Clerk is directed to close this case.

It is so ORDERED.

SIGNED this 22nd day of March, 2010.

A handwritten signature in black ink, appearing to read 'Xavier Rodriguez', is written over a horizontal line.

XAVIER RODRIGUEZ
UNITED STATES DISTRICT JUDGE